



consent motion to stay the case for a period of 100 days, through March 25, 2020, on the basis that defendant had requested a medical advisory opinion from the “mental health advisory team” of the BCNR, in response to plaintiff’s petition submitted to the BCNR on July 26, 2019. (DE 14 ¶ 2). The court granted the stay on December 17, 2019, and allowed a thirty day extension of the stay on March 26, 2020.

On April 13, 2020, plaintiff filed the instant motion for extension of time and for judgment, noting that he had retained assistance of a pro bono attorney, to respond to a medical advisory opinion. On April 24, 2020, plaintiff filed the instant motion requesting that the stay be lifted on the basis that his representative had prepared an advisory opinion rebuttal.

That same date, defendant filed the instant motion to extend the stay for an additional 60 days, up to June 23, 2020, on the basis that “[d]efendant is diligently working to process Plaintiff’s request,” and “[d]efendant anticipates that it will be able to issue an opinion on Plaintiff’s request within the next 30 days.” (DE 20 at 2). On April 30, 2020, plaintiff filed the instant additional motion regarding the advisory opinion, expressing opposition to a continued stay.


### **COURT’S DISCUSSION**

Where defendant has sought an extension of the stay imposed in this case, to allow defendant time to process plaintiff’s request administratively for review of BCNR decision, good cause has been shown for an extension of the stay, where this approach may result in a resolution without further judicial proceedings. See Fed. R. Civ. P. 1. Accordingly, defendant’s motion to extend the stay is GRANTED, and plaintiff’s motions seeking judgment and opposing stay are DENIED. Plaintiff’s motion seeking extension of time for review of case by pro bono attorney is DENIED AS MOOT. Defendant is DIRECTED to provide a status report regarding continued utility of a stay to promote administrative resolution, on or before **June 23, 2020**.

## CONCLUSION

For the foregoing reasons, defendant's motion to extend stay is GRANTED, and the stay in this matter is extended to **June 23, 2020**. Plaintiff's motions seeking judgment and opposing stay (DE 19, 21, 22) are DENIED. Plaintiff's motion seeking extension of time for review of case by pro bono attorney (DE 18) is DENIED AS MOOT. Defendant is DIRECTED to provide a status report regarding continued utility of a stay to promote administrative resolution, on or before **June 23, 2020**.

SO ORDERED, this the 29th day of May, 2020.

  
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LOUISE W. FLANAGAN  
United States District Judge